

The Honorable Timothy W. Dore
Chapter 7
Hearing Date: Friday, Sept. 11, 2020
Hearing Time: 9:30 A.M.
Location: Seattle - Telephonic
Dial: 1-888-363-4749
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Response Date: Sept. 4, 2020

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

In re Nicholas Clifton Barnard,

Debtor.

No. 20-11870 – TWD

MOTION TO REDEEM PERSONAL
PROPERTY

Comes now the Debtor, Nicholas Clifton Barnard, by and through counsel, and moves the Court pursuant to Section 722 of the Bankruptcy Code¹ and Bankruptcy Rule 6008 for a Redemption Order on the following grounds:

The item to be redeemed is tangible personal property intended primarily for personal, family or household use, and is more particularly described as follows:

Year: 2013 Make: Ford Model: C-Max Energi Color: White

Miles: 118,962 (approx.) VIN: 1FADP5CU7DL531019

(the “Property”).

1. The Debtor’s interest in the Property is exempt, and the debt, which is secured by the Property to the extent of the allowed secured claim of the Respondent Santander Consumer USA (“Creditor”) is a dischargeable consumer debt.

¹ 11 U.S.C. §§ 101-1532. Unless specified otherwise, all chapter and section references are to the Bankruptcy Code.

2. The Creditor's allowed secured claim for the purposes of redemption, the "Redemption Value" should be determined to be not more than \$2,400, as evidenced by the Declaration of Nicholas C. Barnard filed herewith along with the Kelly Blue Book valuation and repair estimate, Exhibits A & B respectively to the Debtors' Declaration.

3. The Debtor will either enter into a financing agreement with another creditor or borrow the entire Redemption Value from a friend to pay Creditor the Redemption Value and release Creditor's lien on the Property. In the event Creditor objects to this Motion, the Debtor requests the Court to determine the value of the Property as of the time of the hearing on such objection.

DATED this 15th day of August, 2020.

KAPLAN LAW PLLC

By: /s/ Michelle C. Kaplan
Michelle Carmody Kaplan
WSBA No. 27286
Attorney for Debtor